

DARRELL J. HARPER §
v. § CIVIL ACTION NO. 6:16cv1076
UNITED STATES OF AMERICA §

The Plaintiff Darrell Harper, proceeding *pro se*, filed this lawsuit complaining of alleged violations of his constitutional rights. This Court referred the case to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges. The sole named Defendant is the United States of America.

Harper seeks to sue the United States for monetary damages for claimed civil rights violations, retaliation, treason, and racketeering. The Magistrate Judge issued a Report recommending that the lawsuit be dismissed because the United States has sovereign immunity from lawsuits seeking monetary damages and because Harper has been barred from filing pleadings as a result of sanctions previously imposed upon him by the Fifth Circuit Court of Appeals.

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The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). It is accordingly

ORDERED that the Report of the Magistrate Judge (docket no. 5) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the above-styled lawsuit is **DISMISSED WITH PREJUDICE** as frivolous and as barred by the sanctions imposed by the Fifth Circuit Court of Appeals. It is further

ORDERED that any and all motions which may be pending in this civil action are hereby **DENIED**.

So Ordered and Signed

Apr 25, 2018



Ron Clark, United States District Judge